

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK REESE, FRANCES ELAINE PIDDE,
JAMES CICHANOFSKY, ROGER MILLER,
GEORGE NOWLIN and RONALD HITT, on
behalf of themselves and
a similarly situated class,

Hon. Patrick J. Duggan

Case No. 04-70592

Plaintiffs,

v.

Class Action

CNH AMERICA LLC,
formerly known as
CASE CORPORATION,

Defendant.

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**ORDER GRANTING PLAINTIFFS' UNOPPOSED EX PARTE MOTION TO
STRIKE AND GRANT LEAVE TO FILE CERTAIN EXHIBITS UNDER SEAL**

At a session of said Court held in the City of Detroit, County of Wayne,

State of Michigan on September 12, 2005

PRESENT: HONORABLE PATRICK J. DUGGAN
U.S. District Court Judge

This matter having come before the Court on Plaintiffs' Unopposed Ex Parte Motion to Strike and Grant Leave to File Certain Exhibits Under Seal; and the Court having been fully advised in the premises, orders that the Motion is granted:

1. Plaintiffs' September 1, 2005 Response to Defendant's Motion to Dismiss as filed shall be stricken the image deleted; and
2. Plaintiffs shall re-file the Response; and Plaintiffs are granted leave to file Exhibits 5, 6, 7, 9 and 10 under seal.

It is so ordered.

Dated: September 12, 2005

s/PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE